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September 24, 2024

Via ECF

Hon. Vernon S. Broderick
U.S. District Court
Southern District of New York
40 Foley Square
New York, New York 10007

**APPLICATION GRANTED
SO ORDERED**

VERNON S. BRODERICK

U.S.D.J. 9/25/2024

Re: *Max Touhey v. Douglas Elliman Realty, LLC.*
Docket No: 24-CV-4003 (VSB)

Dear Judge Broderick:

We represent Plaintiff Max Touhey ("Plaintiff") in this matter. We write pursuant to Section 1(G) of Your Honor's Individual Rules & Practices, to respectfully request an additional thirty (30) days for the parties to either request to restore the action or file a Dismissal.

- 1) The original date to dismiss or restore is September 24, 2024 [Dkt. No. 14] and the proposed new date is October 24, 2024;
- 2) This is Plaintiff's first request for an extension of time to file the dismissal;
- 3) Defendant consents to the request for an additional 30-day extension.

The reason for the request is that a third party has been involved in the negotiation of the final settlement agreement which required additional time for drafting and approval of terms, along with performance of the underlying obligations. Despite best efforts, the parties have not yet been able to consummate the transaction. While Plaintiff believes the matter may still be completely resolved today (or at the latest this week), out of an abundance of caution additional time is requested. No other dates will be impacted by this request.

We thank you the Court for its time and consideration.

Respectfully submitted,

/s/ Renee J. Aragona
Renee J. Aragona